

AN ACT

ENTITLED, An Act to require certain auction agencies and dealers to disclose damage statements or damage notations listed on the title.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 32-6B be amended by adding thereto a NEW SECTION to read as follows:

If any motor vehicle has a title that has been marked by this state or another state or jurisdiction denoting any brand or damage and that motor vehicle is offered for sale by a dealer's car auction agency, the auction agency shall announce at the time of the sale that such brand or damage notation is listed on the title. If the auction agency fails to comply with this section, the purchaser of the motor vehicle may return the motor vehicle to the auction agency within ten days after receiving the title, and the auction agency shall make a full refund to the purchaser.

Section 2. That § 32-3-51.18 be amended to read as follows:

32-3-51.18. Any vehicle that is required to be titled pursuant to this chapter and is sold or offered for sale by a vehicle dealer or a used vehicle dealer as defined in § 32-6B-1 shall display a sticker, decal, or notice that discloses damage to the vehicle in accordance with the provisions of §§ 32-3-51.7, 32-3-51.8, 32-3-51.14, and 32-3-51.15, as determined by the department in rules promulgated pursuant to chapter 1-26. The rules shall also prescribe the format and construction of the sticker, decal, or notice. If the dealer fails to comply with this section, the purchaser of the motor vehicle may return the motor vehicle to the dealer within ten days after receiving the title, and the dealer shall make a full refund to the purchaser.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1196

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1196
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State